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## PRESS RELEASE

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### **D.A. McMahon: RCDA Release Findings of Investigation Into Fatal Police-Involved Shooting**

*\*\*NYPD officers were justified in use-of-force during 2018 incident\*\**

Staten Island, N.Y. – Richmond County District Attorney Michael E. McMahon today publicly issued a report that summarizes and extensively details the findings of an investigation into the police-involved fatal shooting of Faustino Dioso, which occurred on December 9, 2018 in the course of a police response to a 911 complaint of a domestic violence disturbance. This is the first time RCDA has issued such a report and marks a new policy tool for the office in an effort to provide greater transparency to the public in cases involving deadly use-of-force by members of law enforcement. As enumerated in the report, Mr. Dioso was armed with a large machete-type knife at the time of his encounter with the police. The evidence clearly shows that Mr. Dioso brandished the knife in the direction of a police officer and failed to heed police directions to drop the weapon. The evidence further supports the fact that the officers had no choice but to fire in order to stop Mr. Dioso from killing or inflicting serious physical injury on them. The thorough investigation involved extensive interviews with both police and civilian witnesses, police personnel, emergency responders and civilians, as well as review of body-worn camera recordings, police radio runs, 911 call reports, crime scene unit and ballistics reports, Force Investigation Division reports, the autopsy report, the toxicology report, and DNA reports.

**District Attorney Michael E. McMahon said**, “While I sympathize with the family of Mr. Dioso, our internal investigation concluded that police officers were justified in their use-of-force during this tragic incident. As District Attorney, I have an ethical and moral duty to fully investigate such cases and make a determination that is supported by the available evidence. In issuing a report of our investigative findings, we are providing greater transparency to the public regarding these critical incidents, and hope that in doing so we can help build and strengthen the bonds of trust that exist between law enforcement and the communities we serve. I also want to commend the Force Investigation Division for their comprehensive efforts in their investigation. As always, we are committed to seeking the truth and ensuring that justice is served on behalf of all Staten Islanders.”

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